

Details of the Conference of the Nine Power Treaty
Signatories held in BRUXELLES Concerning China

An Extract from Pages 1 to 7, for the period
November 3 to 24, 1937.

(December, the 12th year of Showa (1937),
The Third Section, Bureau of Treaties.)

Paragraph One: Details of the calling of the Conference and
Japan's Attitude towards the conference.

I. Circumstances under which the Government
of Belgium invited to the Conference.

On the 16th day of October, in the 12th year of Showa (1937),
the General Assembly of the League of Nations adopted the two
reports and decisions of the Inquiry Commission on the China
problem, holding Japan's actions toward China in violation of the
Nine Power Treaty and the Treaty for Denouncing War, and expressing
moral support for China with the recommendation to investigate the
situation by first of all holding a Conference of the League of
Nations consisting of the signatories to the Nine Power Treaty to
solve the present situation in the East Asia. And the Government
of the United States of America officially expressed its agreement
to this decision on the same day.

In accordance with this decision, the League of Nations

seems to have planned to call a Conference of the Nine Power Treaty Signatories affiliated with the League of Nations. This plan, however, was apparently changed in process and eventually it was decided that the Belgian Government, one of the Nine Power Treaty Signatories, would ask for a Conference on October 30 in BRUXELLES in accordance with the regulation of Article 7 of the Nine Power Treaty with the active mediation of the British Government and also the concurrence of the American Government thereto. The Belgian Government formally invited all Governments concerned on October 16 and delivered a formal letter of invitation to the Imperial Japanese Government on October 20 through the Belgian Ambassador at TOKYO. (It has become clear that the delay in the invitation to the Japanese Government was caused by a technical oversight in the Belgian Foreign Office). The letter of invitation reads as follows--

Message

In conformity with the request of the British Government with the concurrence of the Government of the United States of America, the Government of the Kingdom of Belgium hereby proposes to the Signatories of the Nine Power Treaty signed on the 6th day of February, 1922, in compliance with Article 7 of the Treaty, to meet at BRUXELLES on the 30th day instant to investigate the situation in East Asia and to find measures of conciliation to hasten the termination of the regrettable disputes now prevailing over the area.

on this 20th day of October, 1937.

At TOKYO.

The above message was delivered to Mr. HIROTA, the Foreign Minister, by the Belgian Ambassador at 10 a.m., on 21st day of October,

The foregoing decision of the League of Nations once adopted the principle that the Nine Power Treaty Signatories shall meet in the capacity of members of the League of Nations. This principle, however, was changed in the course of preparation in calling the Conference as exclusively in compliance with the Nine Power Treaty, instead of the conference of the Nine Power Treaty, Signatories affiliated to the League of Nations. The Imperial Japanese Government, however, replied to the foregoing invitation on the 27th refusing to participate in the said Conference.

II. The Imperial Japanese Government's Reply and Statement.

Although the letter of invitation from the Belgian Government, as mentioned above, had simply referred to Article 7 of the Nine Power Treaty concerning the Incident, the gist of the Imperial Japanese Government's reply contended that the Conference in question could not be considered as separated from the decision of the League of Nations, and that in consideration of the fact that the League had accused the actions of the Japanese Empire as in violation of the Nine Power Treaty and had already adopted this unfriendly decision towards us, beneficial settlement could not be expected from the Conference and as our actions in China are simply defensive provoked by the Chinese challenge, it lies beyond the scope of the

Nine Power Treaty. The key-note to the settlement lies in China's introspection and conversion to a cooperative policy in her relations with Japan. It is on the contrary rather harmful to try to settle the question in a conference consisting of countries with little or no interest in East Asia.

Furthermore, our Government issued at the time a long statement to make clear the cause of the Incident and to make it well understood that the incident arose from peculiar circumstances existing between Japan and China, and had it delivered to the Belgian Ambassador at TOKYO through Foreign Minister HIRATA in conjunction with the reply of our Government. At the same time instructions by telegraph were sent to our Ambassador to Belgium to formally present the statement of our Government to the Belgian Government.

The full text of the reply and statement of our Government read as follows: --

A. The Reply of the Japanese Government
dated October 27.

The Imperial Japanese Government has the honor to acknowledge the receipt of the invitation of the Belgian Government dated 20th of this month which proposed, in conformity to the request of the British Government with the concurrence of the American Government, to the signatories of the Nine Power Treaty of the 6th day of February, 1922, in compliance with Article 7 of the

Treaty, to meet at BRUXELLES on the 30th day instant to investigate the situation in East Asia and to find measures of conciliation to hasten the termination of the regrettable disputes prevailing over the area.

In conformity with the one-sided statement of one of the parties concerned, the General Assembly of the League of Nations concluded in the report adopted on the 6th of this month concerning the Sino-Japanese Incident that our actions in progress in China are in violation of the Nine Power Treaty.

As our Government has announced, however, our present actions in China are nothing but defensive measures forced upon us by the enforcement of an extreme anti-Japanese policy by the Chinese and especially when the use of force has been used.

The General Assembly of the League, furthermore, expressed its moral support of China in its decision and advised the countries concerned to refrain from action that would cause to weaken the resisting power of China and increase her difficulties in the present dispute and to consider the extent of assistance each would be able to render China. This clearly ignores our fair intention to contribute to world peace by embodying the peace of East Asia, through the sincere cooperation of China and Japan and stimulates the hostility of one party of the disputing countries by assisting it, and does not help at all in facilitating the settlement of the dispute in question.

The invitation of the Belgian Government does not refer to the relationship existing between the present conference and the

League of Nations. However, in consideration of the fact that the League of Nations suggested, in the above mentioned decision, for a Conference of League Member Countries concerned with the Nine Power Treaty and that the American Government, who concurred on the request of the British Government to call the present Conference, announced on the 6th day of October to support the decision of the League of Nations, we cannot help but conclude that the present Conference was called in connection with the decision of the League. Furthermore in consideration of the fact that the League of Nations, as mentioned in the foregoing item, reached a conclusion affecting our honor, and adopted an unfriendly decision towards Japan, we cannot help but conclude that expectations cannot be held at least in the presently proposed Conference for adequate and unreserved negotiations between the countries concerned guiding the Sino-Japanese Incident to an actual, fair and reasonable settlement.

Moreover, as the present Sino-Japanese Incident has arisen from particular circumstances existing in East Asia and has serious bearing upon the existence of both China and Japan, we firmly believe that it will rather incur a complication of the situation and grave hindrance to the normal settlement of the question to try to settle it by a conference of many countries including those having different degrees of or little or no, interest in East Asia.

From the above mentioned point of view, we regret that we cannot accept the invitation of the Belgian Government.

Now, the present Incident is indeed nothing but a result of the national policy of the Chinese Government for many years, during which it implanted anti-Japanese consciousness among the people and not only encouraged anti-Japanese movements but also developed anti-Japanese ways to become a red acting in concert with the red influence, menacing the peace of East Asia. Therefore, the key-note of its settlement consists in the Government of China awakening to the joint-responsibility of Japan and China for the stabilization of East Asia and on introspecting convert to a cooperative policy between Japan and China. What we expect of the Powers is that they fully recognize this fact. And on cooperation based on this recognition alone can contribution to the stabilization of the East Asia be achieved.

Dated, 27th day of October of 12th year of Showa (TN: 1937).

C E R T I F I C A T E

Statement of Source and Authenticity

I, HAYASHI, Koro, Chief of the Archives Section, Japanese Foreign Office, hereby certify that the document hereto attached in Japanese consisting of 6 pages and entitled "Details of the Conference of the Nine Power Treaty Signatories in Bruxelles" is an exact and true extract of an official Document of the Japanese Foreign Office.

Certified at Tokyo,
on this 8th day of February, 1947.

(signed) K. HAYASHI
Signature of Official

Witness: (signed) K. URABE

TRANSLATION CERTIFICATE

I, Yukio Kawamoto, of the Defense Language Branch, hereby certify that the foregoing translation described in the above certificate is, to the best of my knowledge and belief, a correct translation and is as near as possible to the meaning of the original document.

/s/ Yukio Kawamoto

Tokyo, Japan

Date 7 Mar. 1947

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「ブリュッセル」ニ於ケル支那ニ關スル九國條約國會設置條

昭和十二年十二月
條約局第三編

千九百三十七年十一月自三日至二十四日

中より抜萃

自一頁至七頁

第一節 會議成立ノ経緯及會議ニ對スル帝國政府ノ態度

一 自由國政府ノ招待ニ至ル事情

昭和十二年十月六日國際聯盟總會ハ支那問題諮問委員會ノ二報告及決議ヲ採擇シ日本ノ對支行動ヲ以テ九國條約及不戰條約違反ナリトシ支那ニ對スル精神的支持ノ意ヲ表シ東京ニ於ケル現在ノ事態ヲ解決スル爲先ツ九國條約ノ締約國タル聯盟國ノ會議ヲ開催シテ事態ヲ檢討スヘシト爲ヒリ而シテ米政府ハ同日附テ以テ右ノ決定ニ對シテ公ニ賛意ヲ表明セリ右ノ決定ニ基キ一應問題ニ於テ聯盟國タル九國條約締約國ノ會議ヲ

計畫シタル形アルモ右計畫ハ中途ニ於テ阻メラルタルモノノ如ク結局
ニ於テ英日政府ノ主動的の斡旋及米日政府ノ右ニ對スル贊同ニ依リテ同條
約締結シタル自日政府ニ於テ九國條約第七條ニ基ク會議ヲ十月三十日武
府ニ招集スルコトト爲リ同日ハ十月十六日自日政府ニ正式ニ招請ヲ發
シ帝國政府ニ對シテモ同二十日在京白日大使ヲ送シ正式ニ招請狀ヲ發セ
リ（帝國政府ニ對スル右招請ノ遲延シタルハ自日外務省側ニ技術的ノ手
續アリタル爲ナルコト判明セリ）其ノ文意次ノ如シ

口 上 書

米日政府ノ同意ヲ以テ爲サレタル英日政府ノ要請ニ從ト自耳義王日政府
ハ千九百二十二年二月六日ノ九國條約署名日ニ當シ同條約第七條ニ基キ
實現ニ於ケル會議ヲ檢討シ且該會議ニ行ハルル遺憾ナル紛争ノ終結ヲ促進
スヘキ和議手続ヲ實現スル爲本月三十日「ブリュッセル」ニ集合センコ
トヲ提議ス

一九三七三年十月二十日

東京ニ於テ

右口上書ハ十月二十一日午前十時在京白田大使ヨリ廣田外務大臣ニ手交
前記照會ノ決定ハ一應九國條約締結國カ照會國タル資格ニ於テ會合スヘ
キモノト爲セルカ前述ノ如ク關係ニ於テ準備打合中ニ會合ヲシテ照會
國タル諸國ノ會合タラシムルコトヲ改メ專ラ九國條約ニ基ク會合トシ
テ招集セラレルコトト爲レリ然レトモ帝國政府ハ前記招請ニ對シテ二十
七日附テ以テ參加拒絕ノ旨回答ヲ爲セリ

三帝國政府回答及聲明

白田政府ノ招請狀ハ前記ノ如ク單純ニ事變ニ關シテ九國條約第七條ヲ云
爲シ居ルニ過キサルモ帝國政府ノ回答要旨ハ本件會議カ照會ノ決定ト切
斷シテ考慮スルコトヲ得ヌ而シテ照會カ變ニ帝國ノ行動ヲ以テ九國條約
違反トリト爲シ且帝國ニ對シテ非友誼的ナル決定ヲ爲セタルニ從ヒ同會
議ニ於テ有爲ナル解決ヲ豫門スルコトヲ得ヌ帝國ノ支那ニ於ケル行動ハ
支那側ノ提議ニ基ク自行行動ニシテ九國條約ノ範圍外ニシテ之カ解決ノ
要請ハ支那ニ於テ自肅自省帝國トノ提議政策ニ對向スルニアリ東亞ニ利

軍門無幾少ナル時國ヲ合ム合辭ニ於テ得決テ國ラントスルハ却テ有害ナ
リト爲スニアリダリ又其ノ際帝國政府ハ別ニ事變ノ根源ヲ明白ニシ石カ
日支ニ時有ナル事變ニ對クモノナルコトヲ周知ヒシムル爲長文ノ聲明
ヲ發シ帝國外務大臣ヨリ帝國政府ノ回答ト一體ヲ爲スモノトシテ在京自
國大使ニ手交シ同時ニ駐白帝國大使ニモ電報シ於中帝國政府聲明ヲ正式
ニ白帝政府ニ提示ヒシメタリ

帝國政府回答及聲明全文左ノ如シ

イ、十月二十七日帝國政府回答

帝國政府ハ米國政府ノ同意ヲ以テ爲サレタル英國政府ノ提議ニ從ヒ千九
百二十二年二月六日ノ九國條約署名國ニ對シ同條約第七條ニ基キ直照ニ
於ケル事實ヲ檢討シ且該地境ニ行ハルル違犯ナル紛争ノ終結ヲ促進スヘ
キ和協手段ヲ政綱スル爲六月三十日「ブルユツセル」ニ合合ヒンコトヲ
提議セラレタル六月二十日駐白帝政府ノ招待ヲ正ニ受領セリ
同條約署名國ハ六月六日日支事變ニ因シ提議セラレタル報告書ニ於テ當

事關一方ノ關係ニ依賴シ現ニ帝國カ支那ニ於テ執リツツアル行動ヲ以テ
 九國條約ニ違反スルモノト斷定シタリ今次帝國ノ支那ニ於ケル行動ハ支
 那側ノ輕便ナル排日抗日政策ノ履行特ニ實力ヲ以テスル挑發行動ニ依リ
 餘無ナクヒラレタル自衛權ニシテ九國條約ノ範圍外タルコトハ已ニ帝
 國政府ノ聲明セル所ナリ
 聯盟國會ハ更ニ進テ其ノ決議ニ於テ支那ニ對シ精神的支持ヲ表明シ且聯
 盟國ニ對シ支那ノ抵抗方ヲ賜メ現在ノ紛争ニ於ケル支那ノ困難ヲ増大セ
 シムル效果ヲ有スルカ知ヤ行動ヲ差控ヘ且各個ニ支那ヲ援助シ得ル程度
 ヲ考ヘスヘキコトヲ勸告シタリ右ハ明ニ日支兩國ノ眞實ナル協約ニ依リ
 實重ノ平和ヲ具現シ依テ世界ノ平和ニ符具スル所アラントスル帝國ノ公
 明ナル意思ヲ無視シ紛争當事國ノ一方ニ加擔シ其ノ敵對意識ヲ鼓吹スル
 決シテ本條約等ノ解決ヲ促進スル所以ニ非ス白國政府ノ招請ニハ今次會
 議ト聯盟國トノ關係ニ付何等言及スル所ナキモ聯盟國カ前記決議中ニ於テ九
 國條約尊重國タル聯盟國ノ會議ヲ示唆シ居リ又英國政府ノ今次會議招集

ノ要請ニ同意セル米日政府ハ十月六日聯盟ノ決議ヲ支持スル旨ヲ聲明シ
居ル事實ニ鑑ミ帝國政府ハ今次會議カ聯盟ノ決議ニ關聯シテ招集セラレ
タルモノト斷ヒサルヲ得ス而シテ聯盟ハ前項所論ノ如ク帝國ノ名譽ニ關
スル斷定ヲ下シ又帝國ニ對スル非友誼的決議ヲ採擇セル事實アルニ對ミ
今次關係ヒラルヘキ會議ニ於テハ到底關係國間ノ充分ニシテ且隨意ナキ
交渉ヲ行ヒ日支間ノ事實ヲ現實ニ即セル公正妥當ナル解決ニ導クコトヲ
期待シ難シト認メサルヲ得ス
加之今次ノ日支事變ハ東亞ノ特殊事態ニ起因シ且日支兩國ノ生存ニ重大
關係ヲ有スルモノナルヲ以テ東亞ニ於ケル利害ノ程度相異リ甚シキハ殆
ト利害關係ヲ有ヒサル國ヲモ含ム多數國ノ會議ニ依リ之カ解決ヲ圖ルハ
却テ事態ヲ紛糾ヒシメ之カ正常ナル收持ニ大ナル支障ヲ及ボスヘキハ帝
國政府ノ確信スル所ナリ
以上ノ觀點ヨリシテ帝國政府ハ白日政府ノ招請ヲ受諾シ得サルヲ遺憾ト
ス

抑モ今次ノ事態ハ支那政府カ多年困難トシテ國民ニ抗日意識ヲ扶植シ
其ノ排日運動ヲ獎勵スルノミナラス赤化勢力ト勾結シ排日抗日ノ風潮ヲ
激化シテ東亞ノ平和ヲ脅威シタル結果ニ外ナラス從テ之カ解決ノ要諦ハ
支那政府ニ於テ東亞ノ安定ニ對スル日支共同ノ責任ヲ自覺シ自肅自省以
テ日支提携ノ政策ニ轉向スルニ在リ帝國ノ列國ニ期待スル所ハ列國カ此
ノ要諦ヲ充分ニ認識スルコトニシテ此ノ認識ニ基ク協力ノミ東亞安定ニ
寄與スルコトヲ得ヘシ

昭和十二年十月二十七日

Ref Doc No. 678

Translated by
Defense Language Branch

Promulgation of Regulations for Punishing Kan-min"

Passed by the Anti-Japanese Terrorist Commission

From "Anti-Japanese Boycott of goods concerning the
Tsinan Case-Vol III"

Pres. Doc. 2256 (Copy HANKOW 5th July 1924)

To: President

Subject: Promulgation of Regulations for Punishing "Kan-min"

* Passed by the Anti-Japanese Terrorist Commission.

Despite all our government officials' strong protests and all the Chinese Government officials' efforts, the activities of the Anti-Japanese-goods Associations have become more and more vehement under the cloak of patriotism. The Anti-Japanese Terrorist Commission for Each Association in Shanghai, (T.N. SHANGHAI KAKKAI HANNICHI BOKO IINKAI) a notorious anti-Japanese association, as you know, passed on the 3rd a bill entitled Regulations for Punishing "Kan-min" (T.N. a traitor to China) consisting of six articles, which it published in the Chinese papers on the 4th. I beg to submit to your inspection the translation of the foregoing regulations which is enclosed herewith for reference.

Manager

* T.N. "Kan-min" means literally "wicked people"

appeared in the Chinese Press July 4th 1928

The Regulations for Punishing "Kan-min" Passed by the Anti-Japanese Terrorist Commission.

The Anti-Japanese Terrorist Commission for Each Concession in Shanghai passed Regulations for Punishing "Kan-min" on the afternoon of the 3rd. The following is the text of the Regulation

- I. On the basis of the resolution made by the Anti-Japanese Terrorist Commission for Each Concession in Shanghai, the Regulations for Punishing "Kan-min" have been specially enacted. The offender against the General Principle for Economic Blockade Plan and the rules relative to its application promulgated by this Commission shall be published according to these promulgation.
- II. The person who is involved in any of the following acts shall be called a "Kan-min".
 - A. The importer who has purchased any goods made in Japan and has transported and sold them to anyone in China, or who has neglected to register Japanese made materials according to these Regulations and has transported and sold them without having a transportation permit.
 - B. The wholesale merchant who has purchased unregistered Japanese goods from any importer and put them on market by reselling them to stores.
 - C. The carrier or the customs agent who has conveyed

the Japanese goods or has had them sent to a port in China for any person.

- D. The broker who has secretly sold the Japanese goods to a Merchant in China.
- E. The retail dealer who has sold directly to consumers any Japanese goods unregistered or those already registered but with no transportation permit attached.

III. The punishment shall be of according to the following five categories.

A. Exhibition of Wooden Dragon.

A Wooden dragon on which the name and the details of the criminal of the "Kan-min" are inscribed shall be exhibited with his picture pasted on its inside at a prominent place in the town.

B. Suspension of Public Rights.

The name and details of the criminal of the "Kan-min" shall be reported to the Central Government and the Governments of the Province and the City, and he shall have his public rights necessary to his business suspended.

C. Monetary Punishment.

In accordance with the cost the Japanese goods which the "Kan-min" has transported and sold, he shall pay, to the "Save-Nation Fund" as a fine, twice the amount of their cost.

D. Punishment by Dishonor.

The name of the "Kan-min" shall be published in the newspapers of the district which he has committed the crime and in those of his permanent domicile, and at the same time the "Kan-min" records shall be issued and the so-called "Kan-min Sign Board" shall be made and shown at such a place where the people may easily notice it.

E. Punishment by Discredit.

The merchant whose business is the same as that of the "Kan-min" and every firm connected with his business shall be notified of the "Kan-min" whom they will boycott.

IV In accordance with the importance of the matters involved the "Kan-min" who has committed one of the crimes provided for in Article II shall be punished with one of the penalties provided for in respective paragraphs of Article III or with the penalties prescribed in its second and third paragraphs. How to apply these penalties shall be deliberated upon and decided by the Public Decision Committee.

V The man who has acted in collusion with any foreigner and escaped punishment as the result of some special influence shall be deprived of his personal and real estate and have the protection and all rights, granted to him by law, suspended.

D of Dec No. 372

VI These regulations shall go into effect at the date of promulgation.